

IN THE DISTRICT COURT OF THE UNITED STATES  
FOR THE MIDDLE DISTRICT OF ALABAMA  
NORTHERN DIVISION

UNITED STATES OF AMERICA	)	
	)	
v.	)	2:05-cr-00151-MHT-CSC
	)	
MARY WAGES BOBO, et. al.	)	

**UNOPPOSED MOTION TO CONTINUE**

COMES NOW the defendant, Mary Wages Bobo, by and through counsel, and respectfully moves the Court to continue the trial in the above-captioned cause presently set for October 12, 2005. As grounds, the defendant states:

1. The defendant has applied for pre-trial diversion through the United States Attorney's Office.
2. As of today, that application is still pending and a determination has not been made.
3. Additionally, defense counsel and the government is currently engaged in plea negotiations. However, no agreement has been at this time.
4. If a final plea agreement is not reached in this case, trial counsel will need additional time to prepare adequately for trial.
5. Requests for a continuance are addressed to the sound discretion of the trial court. United States v. Darby, 744 F.2d 1508, 1521 (11th Cir. 1984), reh. denied 749 F.2d 733, cert. denied 471 U.S. 1100 (1985). Courts have repeatedly recognized that a continuance in order to provide adequate preparation by counsel serves the ends of justice. United States v. Goetz, 826 F.2d 1025, 1028 (11th Cir. 1987).

WHEREFORE, based upon the above-stated grounds, the defendant respectfully requests a continuance of the trial from the October 12, 2005 trial term.

Respectfully submitted, this the 19th day of September, 2005.

/s/ Tiffany B. McCord  
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**CERTIFICATE OF SERVICE**

I hereby certify that on September 19, 2005, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to Ms. Tommie Brown Hardwick, Ms. Marion Chartoff, and the Federal Defender Program.

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